

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated October 21, 2008. Reconsideration and allowance of the application in view of the amendment made above and the remarks to follow are respectfully requested.

Claims 1-3 and 5-20 are pending in the Application. Claim 4 is canceled herein, without prejudice. The Applicants respectfully reserve the right to reintroduce subject matter deleted herein, either at a later time during the prosecution of this application or any continuing applications. Claims 19 and 20 are added by this amendment.

Claims 1-14 are rejected under 35 U.S.C. §112, second paragraph as allegedly being indefinite due to not specifying a defined scale of hardness. Claims 1 and 8 are amended herein to delete the reference to the hardness of the coating. Accordingly, it is respectfully submitted that claims 1-14 are definite and it is respectfully requested that this rejection under 35 U.S.C. §112, second paragraph, be withdrawn.

In the Office Action, claims 1-3, 6, 7 and 9-11 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 3,836,537 to Sastri ("Sastri") in view of U.S. Patent No. 5,776,615 to Wong ("Wong").

Claims 4-5 are rejected under 35 U.S.C. §103(a) over Sastri in view of Wong in further view of U.S. Patent No. 3,838,512 to Sanderson ("Sanderson"). Claims 8, 12-14, 17 and 18 are rejected under 35 U.S.C. §103(a) over Sastri in view of Wong in further view of U.S. Patent No. 5,142,785 to Grewal ("Grewal"). Claims 15 and 16 are rejected under 35 U.S.C. §103(a) over Sastri in view of Wong in further view of Grewal in further view of Sanderson. These rejections are respectfully traversed. It is respectfully submitted that claims 1-3 and 5-20 are allowable over Sastri in view of Wong alone and in view of any combination of Sanderson and Grewal for at least the following reasons.

It is undisputed that Sastri in view of Wong does not disclose a layer of Cr and a layer of CrN between the substrate and the layered pairs (see, Office Action, page 5, numbered paragraph 12). Sanderson is cited to cure the deficiency of Sastri in view of Wong, however, it is respectfully submitted that reliance on Sanderson is misplaced.

Sanderson is clear that "the alloy of chromium may be present as a first coating on a razor blade base and the nitride if the alloy of chromium may b present as a coating upon the first coating. Sanderson is clear that (emphasis added) "a razor blade

having a discrete coating of nitride of an alloy of chromium (as herein defined) and if desired a discrete coating of an alloy of chromium (as herein defined) on and/or adjacent a cutting edge thereof." (See, Sanderson, Col. 1, lines 13-17.)

It is respectfully submitted that the cutting member of claim 1 is not anticipated or made obvious by the teachings of Sastri in view of Wong in view of Sanderson. For example, Sastri in view of Wong in view of Sanderson does not disclose or suggest, a cutting member that amongst other patentable elements, comprises (illustrative emphasis added) "a metal substrate which is provided with a cutting edge, at least a portion of the substrate including the cutting edge being provided with a coating comprising carbon, wherein the coating comprises a plurality of stacked pairs of layers, each pair comprising a first layer mainly comprising carbon and a second layer mainly comprising a metal, and each pair having a thickness between 1 and 10 nm, wherein the coating comprises an implanted layer of Cr that is implanted into the metal substrate" as recited in claim 1 and as substantially recited in claim 8.

In Sanderson, it is clear that the Cr is deposited as a discrete coating over the metal razor blade.

Grewal is introduced for allegedly showing elements of the

dependent claims and as such, does nothing to cure the deficiencies of Sastri in view of Wong in view of Sanderson.

Based on the foregoing, the Applicants respectfully submit that claims 1 and 8 are patentable over Sastri in view of Wong in view of Sanderson and notice to this effect is earnestly solicited. Claims 2-3, 5-8 and 9-18 respectively depend from one of claims 1 and 8 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims.

It is further undisputed that "Sastri does not disclose the coating comprising carbon, characterized in that the coating comprises a plurality of stacked pairs of layers, each pair comprising a first layer mainly comprising carbon and a second layer mainly comprising a metal" (see, Office Action, page 3, numbered paragraph 7). Wong is cited to cure the deficiency of Sastri, however, it is respectfully submitted that reliance on Wong is misplaced.

Wong merely shows a layering of a carbon nitrogen compound such as CN_x deposited on a metal layer (e.g., see, abstract).

Accordingly, it is respectfully submitted that the cutting member of claim 19 is not anticipated or made obvious by the

teachings of Sastri in view of Wong. For example, Sastri in view of Wong does not disclose or suggest, a cutting member that amongst other patentable elements, comprises (illustrative emphasis added) "a metal substrate which is provided with a cutting edge, and a coating including a plurality of stacked pairs of layers, each pair having a thickness between 1 and 10 nm, each pair including a first layer of carbon in elemental form and a second metal layer, wherein at least a portion of the substrate including the cutting edge is provided with the coating" as recited in claim 19.

Based on the foregoing, the Applicants respectfully submit that claim 19 is patentable over Sastri in view of Wong and notice to this effect is earnestly solicited. Claim 20 depends from claim 19 and accordingly is allowable for at least this reason as well as for the separately patentable elements contained in the claim.

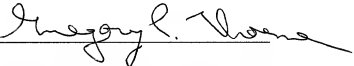
Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to

submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

Gregory L. Thorne, Reg. 39,398
Attorney for Applicant(s)
January 21, 2009

THORNE & HALAJIAN, LLP
Applied Technology Center
111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101